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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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RICHARD W. ARNOLD

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07/24/2008

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EXAMINER

GEYER, SCOTT B

ART UNIT

PAPER NUMBER

2812

NOTIFICATION DATE

DELIVERY MODE

07/24/2008

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

uspto@ti.com

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### DETAILED ACTION

The reply filed on March 17, 2008 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): prior to initiating interference proceedings, the applicant must comply with the guidelines set forth in 37 CFR 41.202(a)(1)-(6) and (d). As the claims in the application are currently pending, the applicant is proposing that claims 22-31 are substantially identical to that of claims 1-8, 10 and 11 of US Patent 6,028,437, and applicant's claims 22-31 correspond to the at least one count for interference proceedings. However, applicant's claim 28 is currently dependent upon claim 5. Applicant's claim 5 is a cancelled claim. Applicant's claim 27 is dependent upon claim 4. Applicant's claim 4 is not proposed as part of the at least one count. Instead, applicant's claim 4 is noted as an allowable claim, which was made of record in a previous office action. Due to these inconsistencies, the instant application cannot be forwarded to interference proceedings. Appropriate correction is recommended.

Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott B. Geyer whose telephone number is (571) 272-

Art Unit: 2812

1958. The examiner can normally be reached on weekdays, between 9:00am and 5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Garber can be reached on 571-272-2194. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Scott B. Geyer/

Primary Examiner, Art Unit 2812